

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 8/21/03.

## **I. DISPUTE**

Whether there should be reimbursement for exploration of spinal fusion – 22830 denied as global to another procedure.

## **II. RATIONALE**

The 1996 MFG Surgery Ground Rule I (D)(1)(a) states that 100% of the MAR for the primary procedure (major procedure reflecting the greatest value). The 1996 MFG Surgery Ground Rule I (D)(1) (b) states that secondary or subsequent procedures to the primary procedure are to be billed at 50% of the CPT code MAR, “when the secondary or subsequent procedures are performed through the same incision and related to the primary procedure.”

The two procedures per the operative report were exploration of fusion mass, lumbar spine (22830) and microscopic discectomy and decompression with removal of interbody graft (63030). The “major procedure reflecting the greatest value” is the exploration of the spinal fusion 22830 with a MAR of \$3,338.00.

The book, “Global Services Data for Orthopedic Surgery” does not indicate that either disputed service is global to the other.

Therefore, for this surgery, payment of \$3,338.00 or 100% of the primary procedure and 50% of the secondary procedure (63030) \$1,517.50 less a 20% PPO discount applied by the respondent minus the \$2,428.00 already paid is recommended.

## **III. DECISION & ORDER**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for exploration of spinal fusion – 22830 in the amount of **\$1,456.40**. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$1,456.40** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 27<sup>th</sup> day of February 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division